

U.S. Patent Application Serial No. **10/582,142**
Amendment filed September 17, 2009
Reply to OA dated June 25, 2009

REMARKS

Claims 1-7 are pending in this application, with claims 4 and 5 withdrawn from consideration. In the present amendment, Claims 1, 3 and 4 are canceled without prejudice or disclaimer, and claim 2 is amended. Upon entry of this amendment, claims 2 and 5-7 will be pending, with claim 5 withdrawn from consideration. Entry of this amendment and reconsideration of the rejections are respectfully requested.

No new matter has been introduced by this Amendment. Support for the amendments to the claims is discussed below.

Claims 4 and 5 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claims. (Office action p. 2)

Claim 4 has been canceled without prejudice or disclaimer. Claim 5 remains withdrawn from consideration.

Claims 1 and 3 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,918,564 to Yen et al. (Office action p. 2)

Claims 1 and 3 are canceled without prejudice or disclaimer.

U.S. Patent Application Serial No. **10/582,142**

Amendment filed September 17, 2009

Reply to OA dated June 25, 2009

Claims 2, 6 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and may intervening claims. (Office action page 3)

Claim 2 has been rewritten to be in independent form, incorporating the limitation of claim 1, which has been canceled without prejudice or disclaimer. Claims 6 and 7 depend ultimately from claim 2, and are therefore independent of canceled claim 1.

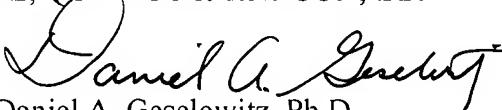
If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants' undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

U.S. Patent Application Serial No. **10/582,142**
Amendment filed September 17, 2009
Reply to OA dated June 25, 2009

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

KRATZ, QUINTOS & HANSON, LLP



Daniel A. Geselowitz, Ph.D.
Agent for Applicants
Reg. No. 42,573

DAG/xl

Atty. Docket No. **060394**
Suite 400
1420 K Street, N.W.
Washington, D.C. 20005
(202) 659-2930



23850

PATENT & TRADEMARK OFFICE

11\060\060394\Amendment in re OA of 06-25-09